

United States District Court

JUL - 4 2015

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Andres Perez Jr.
A208 285 999
United StatesPRINCIPAL
YOB: 1994

Case Number:

M-15- 1084 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 3, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Eleuterio Duenas-Sanchez, citizen and national of United Mexican States, along with five (5) other undocumented aliens for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said alien in furtherance of such violation of law within the United States, that is, from a location near Hidalgo, Texas to the point of arrest near La Joya, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 3, 2015, at approximately 5:50 p.m., Texas Department of Public Safety Troopers requested assistance from the McAllen Border Patrol to identify the citizenship of several subjects they had encountered at a traffic stop in La Joya, Texas. Border Patrol Agents C. Hinojosa, K. Koehmstedt, and Supervisory Border Patrol Agent Dominguez responded to that location and made contact with Trooper Moreno. Trooper Moreno stated that he had conducted a vehicle stop on a red in color Ford Expedition for speeding over the posted limit.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Francisco Sanchez Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 4, 2015
Date

2:06 pm at

McAllen, Texas
City and StatePeter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-1084 -M

RE: Andres Perez Jr.

A208 285 999

CONTINUATION:

SBPA Dominguez questioned the seven subjects as to their citizenship and the six passengers freely admitted to being in the U.S. illegally, with no documents which would grant them legal status. The driver, Andres Perez Jr., was questioned as to his citizenship, at which time he stated he was a United States Citizen. All subjects were subsequently placed under arrest, advised of their rights, and transported to the McAllen Border Patrol Station for processing.

PRINCIPAL STATEMENT:

Andres Perez Jr. was read his rights on scene and at the McAllen Border Patrol station. Perez stated that he understood his rights and that he was willing to provide statements without the presents of an attorney.

Andres Perez Jr. told agents that he was in La Joya, Texas, on July 3, 2015, with the intention of picking up and transporting illegal aliens. Perez claims that he had been approached, at his residence by a man identified as Jale, driving a Ford Expedition. Jale told him to enter the vehicle and that both men then drove to a location identified as Foys. Once at that location Perez was told to drive the Ford Expedition to an HEB in Rio Grande City, Texas, where he would receive additional instructions, via cellular phone. Perez claims that Jale stated that once Perez arrived at that HEB Jale's brother was going to get in the Expedition. When Perez arrived at the HEB, in Rio Grande City, Texas, Jale's brother entered the front of the vehicle and several other people entered the back of the vehicle. Perez stated that he was going to be paid approximately \$150 to \$160 (USD) for each person that he transported and that he was cognizant of the fact that it was illegal to transport undocumented aliens.

MATERIAL WITNESS STATEMENTS:

Eleuterio Duenes-Sanchez was read his rights on scene and at the McAllen Border Patrol station. Perez stated that he understood his rights and that he was willing to provide statements without the presents of an attorney.

Eleuterio Duenes-Sanchez, a citizen of Mexico, stated that he had illegally crossed into the United States on July 3, 2015, at approximately 4:00 p.m. Duenes claims that he made arrangements with an unknown smuggler in Mexico. He stated that agreed to pay \$20,000 Mexican Pesos, or \$1,270 (USD), to be smuggled into the United States. Prior to crossing into the United States, Duenes stated that he heard the guides on the phone with an unknown individual asking what type vehicle would be picking up the group. The group was then instructed to cross into the United States. The guides told Duenes and the group to walk north until they arrived at highway and that a red Ford Expedition would be waiting to pick them up. The group then illegally crossed into the United States and proceeded to walk north towards a highway. Once at the highway they observed a red Ford Expedition parked on the highway. The group then entered the vehicle which drove off after the entire group had entered. Eleuterio Duenes-Sanchez was able to positively identify Andres